

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOSHUA MICHAEL GODFREY

Petitioner,

V.

UNKNOWN,

Respondent.

Case No. 20-03617 BLF (PR)

**ORDER DENYING MOTION TO
CORRECT; GRANTING MOTION
FOR REINSTATEMENT AND
REOPENING THIS ACTION;
DIRECTING PETITIONER TO PAY
FEE OR FILE COMPLETE *IN
FORMA PAUPERIS* APPLICATION**

(Docket Nos. 10, 11)

On June 1, 2020, Petitioner, a California state prisoner, filed a petition for a writ of habeas corpus in this Court.¹ Dkt. No. 1. On July 21, 2020, the Court dismissed this case for Petitioner’s failure to file a complete *in forma pauperis* application or pay the \$5.00 filing fee in the time provided. Dkt. Nos. 7, 8.

On August 13, 2020, Petitioner filed a “motion to correct,” requesting that the \$3.00 that was withdrawn from his trust account for Case No. 20-CV-1381 BLF be applied to this case instead. Dkt. Nos. 10, 10-1. The Court’s finance office has conducted a search and found no record that a payment for \$3.00 was received from Petitioner and processed by the Court. Petitioner is advised that he must provide proof of payment, e.g., a copy of the front and back of the prisoner check was that sent to the Court, in order to have any

¹ The matter was reassigned to this Court after Petitioner failed to file consent to magistrate judge jurisdiction. Dkt. No. 5.

1
2 credit applied to this matter.
3

4 Petitioner has also filed a motion for reinstatement, asserting that he never received
5 notification that he needed to file an IFP application in this matter before the matter was
6 dismissed. Dkt. No. 11. Good cause appearing, the motion is GRANTED. The judgment
7 entered on July 21, 2020, is hereby VACATED. Dkt. No. 8. The Clerk shall reopen this
matter.
8

9 Within **twenty-eight (28) days** from the date this order is filed, Petitioner shall
10 either pay the filing fee or file a complete IFP application in order to proceed with this
11 matter. In the alternative, he may file proof of payment of the \$3.00 to the Court in the
same time provided, but he must also pay the remaining \$2.00 balance to cover the full
12 \$5.00 filing fee.
13

14 The Clerk shall enclose a copy of the Court's IFP application with a copy of this
order to Petitioner.
15

16 This order terminates Docket Nos. 10 and 11.
17

18 **IT IS SO ORDERED.**
19

20 Dated: September 22, 2020
21

22 
23 BETH LABSON FREEMAN
24 United States District Judge
25

26 Order Denying M. to Correct; Reopening Action;
27 P:\PRO-SE\BLF\HC.20\03617Godfrey_reopen.docx
28